

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1759 of 2023

Arising Out of PS. Case No.-291 Year-2021 Thana- CHANPATIA District- West Champaran

CHITRANJAN SHARMA @ CHITRARANJAN SHARMA Son of Subhash
Kuar Resident of village - Gandhi Nagar Ward No.- 06 Chanpatia, P.S.-
Chanpatia, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 03-04-2023 Heard the learned counsel for the petitioner and

learned APP for the State.

This is an application for regular bail on behalf of
the petitioner for the offences alleged under Section 395 of the
Indian Penal Code, registered in connection with Chanpatia
P.S.Case No. 291 of 2021.

As per allegation, the petitioner who was an
employee of the informant, had gone to realize dues of loan
from the customers with the informant. After realization of
amount when they were returning, the informant noticed the
gesture of the petitioner as suspicious as the petitioner stopped
the bike saying that he is coming within minutes. He did not
come in time. After some time some, unknown miscreants came



and snatched the amount from the possession of the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent. Though he has been arrayed in some cases, but they are not similar to the present one and those cases are of trivial nature of *marpit*. He has submitted further that there is nothing against the petitioner, except the confessional statement of the co-accused persons, who have stated that the petitioner has played a role of liner in the alleged occurrence.

Considering the fact that there nothing against the petitioner except the confessional statement of the co-accused persons and also keeping in view the fact that he is in custody since 04.06.2021, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Miss. Urmila Arya, the learned Judicial Magistrate 1st Class, Bettiah, West Champaran in connection with Chanpatia P.S. Case No.291 of 2021, subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make himself available on each and every date fixed at the trial, and if he fails to appear on two consecutive dates



without any reason or unavoidable circumstances, the court below shall be at liberty to cancel his bail bond.

2. If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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